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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Inventor(s): Cheronis et al

Attorney Docket: 2331/111

Serial No.: 09/595,720

Art Unit: 1641

Date Filed: 6/16/00

Examiner: Cook, L.

For: System and method for quantitative
assay for low abundance molecules

Date: August 24, 2001

Handwritten notes: #6, 177, a1, entered, 4/COOK, 3/24/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence addressed to the Commissioner for Patents, Washington, DC 20231 is being deposited with the United States Postal Service as first class mail on August 24, 2001.

Harriet M. Strimpel
Harriet M. Strimpel, D. Phil.

Commissioner for Patents
Washington, D.C. 20231

RESPONSE A

Dear Sir,

In response to the office action mailed July 31, 2001, applicants elect claims 1-29 and 33 in Group I and request consideration of claims 30-32 and 34 identified as Group II. Applicant traverses the restriction with respect to claims 30-32 and 34 because these dependent claims describe additional limitations on claim 1 and do not represent a separate and distinct invention. These claims are dependent on claim 1 and as such a restriction is improper. (In re Haas 486 F.2d 1053 Cust. & Pat. App. 1973).

Applicants cancel claims 35-44 and reserve the right to prosecute these claims subsequently.

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Conclusion

Applicants would welcome the opportunity of a telephone conference to further discuss the claims for consideration. All claims presently in the application are believed to be allowable over the art of record and early notice to that effect is respectfully solicited. In the event that any further fees are due, applicants request that this fee be charged to Deposit Account No. 19-4972.

Respectfully submitted,

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Dated: August 24, 2001

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